

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,  
  
Defendants.

69cv07941 MV/KK

RIO CHAMA STREAM SYSTEM

Section 1: Rio del Oso & Rito Vallecitos

Subfile No. CHRO-005-0004

**CONSENT ORDER**

The Court, having considered the agreement between the Plaintiff State of New Mexico  
and Defendant(s):

**CONSUELO ARCHULETA  
SALOME CHAFF  
ADELINA LANG  
ANGELICA LOPEZ  
ANITA VALDEZ**

concerning the Defendant's right to use the public waters of the Rio Chama Stream System,  
as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning the elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.

3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.
4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, is set forth below:

**A. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer File No(s):** 03812

**Priority:** 1887

**Source of Water:** ACEQUIA DE LOS RECHUELOS: Surface water of the Rio del Oso, a tributary of the Rio Chama.

SPRING NO. 1: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 2: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 4: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 5: Surface water of a spring, a tributary of the Rio del Oso.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** ACEQUIA DE LOS RECHUELOS

**Location X:** 1,608,390 feet      **Location Y:** 1,836,374 feet

**Spring:** SPRING NO. 1

**Location X:** 1,612,493 feet      **Location Y:** 1,835,575 feet

**Spring:** SPRING NO. 2

**Location X:** 1,612,617 feet      **Location Y:** 1,836,044 feet

**Spring:** SPRING NO. 4

**Location X:** 1,613,302 feet      **Location Y:** 1,836,909 feet

**Spring:** SPRING NO. 5

**Location X:** 1,613,691 feet      **Location Y:** 1,836,019 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Within the Juan Jose Lobato Land Grant      12.2 acres

Total 12.2 acres

As shown on the 2016 Hydrographic Survey Map CHRO-5.

**Amount of Water (acre-feet per acre per year, not to exceed):**

Consumptive Irrigation Requirement = 1.25

Farm Delivery Requirement = 3.13

Project Diversion Requirement = 5.22

**B. POND(S) (Surface Water Only):**

**Office of the State Engineer File No(s):** 03812

**Priority:** 10/04/1963

**Source of Water:** ACEQUIA DE LOS RECHUELOS: Surface water of the Rio del Oso, a tributary of the Rio Chama.

SPRING NO. 1: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 2: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 4: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 5: Surface water of a spring, a tributary of the Rio del Oso.

**Purpose of Use:** LIVESTOCK WATERING

**Point of Diversion:**

**Ditch:** ACEQUIA DE LOS RECHUELOS

Location X: 1,608,390 feet      Location Y: 1,836,374 feet

**Spring:** SPRING NO. 1

Location X: 1,612,493 feet      Location Y: 1,835,575 feet

**Spring:** SPRING NO. 2

Location X: 1,612,617 feet      Location Y: 1,836,044 feet

**Spring:** SPRING NO. 4

Location X: 1,613,302 feet      Location Y: 1,836,909 feet

**Spring:** SPRING NO. 5

Location X: 1,613,691 feet      Location Y: 1,836,019 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Pond Location and Surface Area:**

Within the Juan Jose Lobato Land Grant	0.01 acres
Total	0.01 acres

As shown on the 2016 Hydrographic Survey Map CHRO-5.

**Pond Depth:** 3.0 feet

**Pond Volume:** 0.02 acre-feet

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.

  
\_\_\_\_\_  
MARTHA VAZQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

\_\_\_\_\_  
KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE

ACCEPTED:   
ANITA VALDEZ

ACCEPTED: \_\_\_\_\_  
ADELINA LANG

ADDRESS: 2913 CAMINO DEL GUSTO  
SANTA FE

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: NEW MEXICO 87507  
AUGUST 15, 2016

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
SALOME CHAFF

ACCEPTED: \_\_\_\_\_  
CONSUELO ARCHULETA

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ANGELICA LOPEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

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MARTHA VAZQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

\_\_\_\_\_  
KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: \_\_\_\_\_  
ANITA VALDEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED:   
SALOME CHAFF

ADDRESS: 3001 Fasmal Drive  
San Bruno,  
California 94066

DATE: August 17, 2016

ACCEPTED: \_\_\_\_\_  
ANGELICA LOPEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ADELINA LANG

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_


DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
CONSUELO ARCHULETA

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

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UNITED STATES DISTRICT JUDGE

Approved:

\_\_\_\_\_  
KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: \_\_\_\_\_  
ANITA VALDEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
SALOME CHAFF

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ADELINA LANG


ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
CONSUELO ARCHULETA

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED:   
ANGELICA LOPEZ

ADDRESS: 5 Camino Del Valle  
Lan Vegas

DATE: n.m. 87701  
8-15-16

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.

  
\_\_\_\_\_  
MARTHA VALQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

\_\_\_\_\_  
KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: \_\_\_\_\_  
ANITA VALDEZ

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
SALOME CHAFF


ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ANGELICA LOPEZ

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

ACCEPTED:   
ADELINA LANG

ADDRESS: 416 Turner Terrace  
Apt 2  
San Mateo, CA 94401-2479

DATE: 8/17/2016


ACCEPTED: \_\_\_\_\_  
CONSUELO ARCHULETA

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_



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\_\_\_\_\_  
MARTHA VAZQUEZ  
UNITED STATES DISTRICT JUDGE

Approved:

\_\_\_\_\_  
KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: \_\_\_\_\_  
ANITA VALDEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
SALOME CHAFF

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ANGELICA LOPEZ

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

ACCEPTED: \_\_\_\_\_  
ADELINA LANG

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_  
\_\_\_\_\_

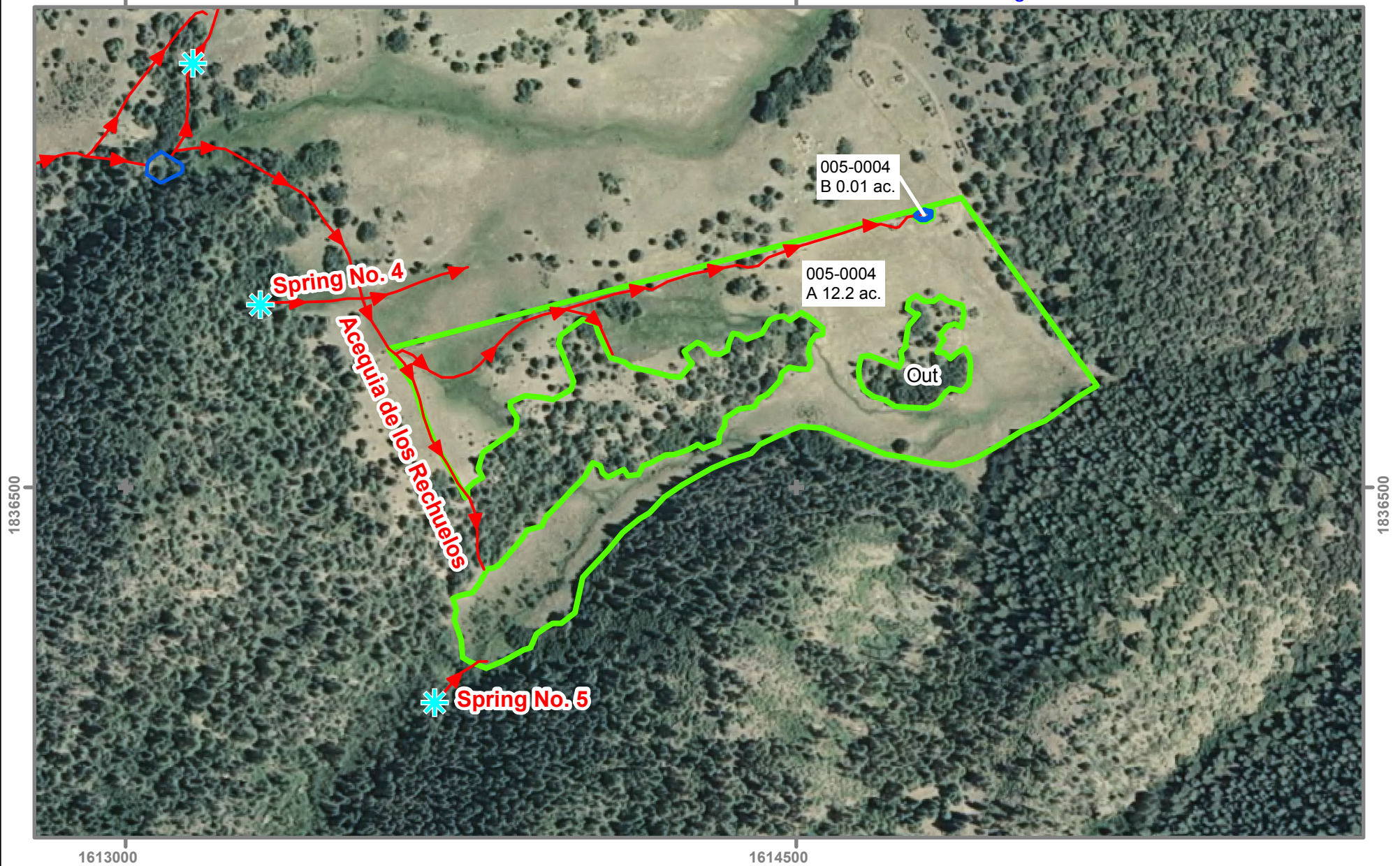
ACCEPTED:   
CONSUELO ARCHULETA

ADDRESS: 74000 Shadow Mountain Dr.  
Apt 23  
Palm Desert, Ca 92260

DATE: 8/9/2016

Kelly Brooks Smith  
Kelly Brooks Smith  
Special Assistant Attorney General

8-31-16  
Date



LEGEND

- Irrigated Tract Boundary
- Pond
- ▶ Operable Ditch
- ✱ Spring



1 inch = 300 feet

0 50 100 200 300 Feet

STATE OF NEW MEXICO  
Office of the State Engineer  
Tom Blaine, P.E., State Engineer

Rio Chama Hydrographic Survey  
Rio del Oso & Rito Vallecitos  
Section 1

Subfile Number  
**CHRO 005-0004**  
Acequia de los Rechuelos  
& Springs No. 1, 2, 4 and 5  
April 22, 2016

